

REMARKS

A Request for Continued Examination with a Petition for a one (1) month Extension of Time has been submitted concurrently herewith. Upon entry of the present amendment the Claims under consideration remain Claims 1-14 and 39-42. Claims 1-8, 11-14, 39 and 41 are amended hereby. Claim 2 has been placed in independent form. No new matter has been added by the present amendments. Throughout the specification, the fibers are referred to as having a “looped” construction (see, e.g., Abstract, lines 5-6; page 4, lines 7-8; and page 14, line 22) leading to a “preponderately open” web construction (see, e.g., page 12, line 9) with a “plurality of channels” (see, e.g., page 15, lines 9-11) in keeping with the functional attributes for the web of improved fluid handling and increased surface area such as for improved filtration (see, e.g., page 1, lines 10-14). It is noted that “loop” as used herein is given its ordinary and customary meaning of: “a curving or doubling of a line so as to form a closed or partly open curve within itself through which another line can be passed or into which a hook may be hooked”. Applicants attach herewith as Appendix A, page 705 of *Webster’s Ninth New Collegiate Dictionary, copyright 1987*, showing this customary meaning of the word “loop”. The Detailed Action will now be addressed with reference to any headings and paragraph numbers contained therein.

Claim Rejections 35 USC §112

Claim 2 has been amended to be independent and thus should obviate the §112 rejection of paragraph 15 (sic) of the Detailed Action of the Final Office Action.

Claim Rejections 35 USC §102

Per paragraph 18 (sic) of the Detailed Action, Claims 1-5, 12, 14, 39 and 40 stand as anticipated by Holtman US Patent 4,578,070 (hereinafter "Holtman"). Applicants respectfully reiterate their arguments from their previous Request for Reconsideration, dated 24 July 2002, concerning the nonapplicability of Holtman.

Generally, the Holtman reference cited as prior art against the present invention is concerned with the making of a two layer web which is formed and then subsequently tightly corrugated to provide a compact liquid retention material with a differential capillarity between its two layers. Holtman does not disclose the looped fibers of the present claims nor the open spaces and channels of the present claims, which are a consequence of the looped fiber arrangement of the present invention. Clearly, the closely packed corrugations of the Holtman reference are not intended to create open spaces within the meaning of the present usage of "loop". Thus, due to their disparate structures and functionalities, the person having ordinary skill in the art

would be unlikely to consider the Holtman reference as disclosing or teaching any part of the present invention.

The amendments to Claims are intended to make clear that the loops created by the present invention provide a web whose fibers are folded to provide loops with a Z direction orientation. That is, the fibers are looped between the major X-Y planes of the web. This is in opposition to the known art, e.g., Holtman, where a web is made with fibers in the X-Y plane, and then the web is folded (pleated) that web into the Z direction, which does not result in the claimed loops of the present web.

Claim Rejections 35 USC §103

Per paragraph 19 (sic) of the Detailed Action, Claims 6-11, 13 and 41-42 stand as obvious over Holtman as “maintained substantially as in paper # 8 of 4/24/2002.” Applicants respectfully reiterate their above arguments concerning the lack of any teaching of Holtman with respect to the present claims.

The Detailed Action of 22 October 2002, at paragraphs 18 and 19 (sic), states that Applicant argues “process limitations.” Applicants believe that the presently amended claims now clearly point to differences between the claimed morphology of a web of the present invention and that of a pleated web as known in the art. That is, Applicants believe the present Claims adequately define a structure which is different from, and defines over, the known art.

Serial No.: 09/538,744

Docket No.: KCC-14,867


It is believed that each of the Claims, and all previous discussion, had adequately defined the distinctive morphology of a web according to the present invention. However, the present amendments are offered in an effort to even more distinctly focus the public's attention on the nature of the structural differences.

If issues remain upon a consideration of the present paper, the Examiner is invited to call Applicants' undersigned attorney for discussion of these amendments at his earliest convenience.

A Petition for a One Month Extension of Time and a check in the amount of \$110.00 are submitted herewith.

Favorable consideration is requested.

Respectfully submitted,



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Serial No.: 09/538,744

Docket No.: KCC-14,867

MARKED-UP VERSION SHOWING CHANGES MADE

1. (Amended) A material comprising:

a nonwoven web comprising a plurality of substantially continuous fibers having a z-direction orientation and forming a plurality of [ridges on] loops between both x-y plane surfaces of the nonwoven web.

2. (Amended) [The] A lofty material [of claim 1 further] comprising:

[the] a nonwoven web comprising a plurality of substantially continuous fibers,

the web being a lofted web with x, y and z dimensions, with x being the machine direction, y being the cross machine direction and z being the loft direction;

the web having first and second major surfaces in x-y planes and spaced apart in the z direction;

the continuous fibers being folded to form loops extending in the z direction, the loops defining open spaces within the web, and

the loops combining to form a material with a succession of [waves] channels spaced along the machine direction, each [wave] channel running in the cross machine direction.

3.(Amended) The material according to Claim 2 further including each [wave] loop having at least one of [its] a leading or trailing [edges] edge bonded to an adjacent loop leading or trailing edge to thereby hold its z-direction shape.

4.(Amended) The material according to Claim 3 wherein the leading and trailing edges of one [wave] loop are bonded together.

5.(Amended) The material according to Claim 3 wherein the leading and trailing edges of one [wave] loop are bonded together and bonded to the trailing and leading edges of the adjacent [waves] loops, respectively.

6.(Amended) The material according to Claim 2 further including each [wave] loop being substantially elliptically shaped in cross section between the major surfaces.

7.(Amended) The material according to Claim 2 further including: the [waves] loops are oriented off the orthogonal z- axis and are unidirectional.

8.(Amended) The material according to Claim 2 further including: the [waves] loops are oriented off the orthogonal z- axis and are multi-directional.

Serial No.: 09/538,744

Docket No.: KCC-14,867

11.(Amended) The material according to Claim 2 further including:
the [waves] channels being randomly spaced in the machine direction.

12.(Amended) The material according to Claim 2 further including:
the [waves] channels being regularly spaced in the machine direction.

13.(Amended) The material according to Claim 2 further
including: the [waves] channels being of random length in the cross machine direction.

14.(Amended) The material according to Claim 2 further including:
the [waves] channels being of regular length in the cross machine direction.

39.(Amended) A personal care absorbent article comprising:
a nonwoven web comprising a plurality of substantially continuous fibers having a z-
direction orientation and forming a plurality of [ridges on] loops between both x-y
plane surfaces of the nonwoven web.

Serial No.: 09/538,744

Docket No.: KCC-14,867

41.(Amended) A filtration material comprising: a nonwoven web comprising a plurality of substantially continuous fibers having a z-direction orientation and forming a plurality of [ridges on] loops at at least one surface of the nonwoven web.